

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

JoAnn Emzine aka Lady McGrath,
Plaintiff

VS.

Joe Otteri, et al
Defendants

CIVIL ACTION - LAW
12-5726

FILED

NOV 01 2021

KATE BARKMAN, Clerk
By _____ Dep. Clerk

MOTION TO OPEN DISCOVERY

Plaintiff by and through her attorney hereby respectfully requests that this Honorable Court open the Discovery period for the following reasons:

1. Defendants and non-party Intervenors (except for one non-party Mr. Jack Ferrigno) failed to answer sufficiently, completely or at all Intervenors mailed to them this deposing Plaintiff of necessary information to proceed with her injury action.
2. Plaintiff has asked this Court to help by appointing a law firm to help her because she will not depose the defendants violent perpetrators who severely injured and disabled her.
3. Since the trial has been continued until April 2022, there is plenty of time for Discovery to proceed.

Enclosures: Jack Ferrigno's
11/04/21 Interrogatory
Answers,
V-112 DE RE
positions

Respectfully submitted,

John J. Esquire
aka Lady McGrath
Plaintiff

(P.S. Apologies
for
handwritten
motion
fractured right
wrist did not
heal and is
very painful.)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JO ANN FONZONE aka JUDY MC GRATH, PLAINTIFF

VS.

NO. 5:12-CV-5726
CIVIL ACTION
JURY TRIAL DEMANDED

JOE OTERI, ET AL, DEFENDANTS

Jack Ferryman, non-party to the above titled action, is requested to file with this court and serve upon the undersigned counsel for Plaintiff, within the time, 30 days and in the manner provided by the Federal rules, sworn answers to each of the following Interrogatories:

1. How do you know and how many years have you known Plaintiff Jo Ann Fonzone and do you know her to be of sound mind?

WORK FOR Her family for 42 YRS.
Know Her App. 38 YRS.
Yes

2. Did you drive Jo Ann Fonzone to Philadelphia Criminal Justice center on July 18, 2011?

Yes

3. Prior to July 18, 2011, did Jo Ann Fonzone tell you she retained a defense attorney Robert Dixon to represent her on disorderly conduct charges because she was not being properly represented by the public defender associates as they had not gotten the charges dismissed?

Yes

4. Did Mr. Dixon show up July 18, 2011?

No

5. When Mr. Dixon failed to appear, and Ms. Fonzone told Judge Pew that she wanted to represent herself because he had not shown up, was anything else said or done by Ms. Fonzone prior to the Judge ordering the sheriff to take her to the basement for a psych eval?

Spoke out of turn.

6. While Ms. Fonzone was in the courthouse jail, did an officer return to the courtroom and inform the Judge that Jo Ann needed her heart medication as she had gone into atrial fibrillation and had asked that you go to the car and get her

heart meds for her? *Yes*

7. Did you then go to the car and get her heart medication and return to the courthouse with them? *Yes*

8. Did you have to wait all day while Jo Ann Fonzone was kept in the courthouse jail until the end of the day when she was returned to the court room then released by the Judge? *Yes*

9. Did you think it was unnecessary for the Judge to order such an eval without any reason and in spite of Jo Ann Fonzone's objections? *Yes*

10. Did you see Jo Ann Fonzone at her mother's home, where she was recovering from the brutal assaults, six days after she was injured by Joe Oteri and the police October 11, 2011 and take photographs of bruises and contusions on her arms, hands, wrists, shoulder and chest? *Yes*

11. Were the bruises and contusions starting to heal and lighten in color by that time? *Yes*

12. Are you aware that Jo Ann Fonzone has been a victim of injuries, false arrest and retaliation and has a long ongoing divorce action since being legally separated since 1993? *She Told me That.*

13. Are you aware that Jo Ann Fonzone travelled to Los Angeles and retained new divorce lawyers in 2006, after previous lawyers since 1993 did not loyally represent her, and she is still not yet divorced? *Yes*

14. During the 46 years you have known Jo Ann, have you ever known her to take illegal drugs or drink alcohol in excess or ever see her intoxicated, unruly, out of control or "not in her right state of mind"? *No*

15. Have you ever known Jo Ann Fonzone's behavior to be out of control or is she a victim of violent behavior, misconduct, stalking, crime and assaults despite the existence of her Permanent Protection From Abuse Order against her estranged spouse Cary Woods aka David Lee Roth for direct and vicarious abuse, stalking, including false arrest as a result of false implication by his employees and others?

No, Yes

16. Are you aware of Jo Ann's many pre-existing injuries and chronic pain, prior to the injuries, (including back surgeries, neck, rib, and sternum fractures, etc.) she sustained October 6, 2010, which would prevent her from any physical fighting?

?

17. Are you aware of Jo Ann's correct psychiatric diagnosis of PTSD and battered woman syndrome, victim of violence while trying to get a divorce?

No

18. Do you know Jo Ann Fonzone to be a person of integrity, honesty, and loyalty?

Absolutely

19. Have you ever seen Jo Ann Fonzone drink excessive alcohol so that she is 'not in her right state of mind' or would this fabrication be a false attack on her character by a man who had injured, then falsely implicated her by lying to the police to cover up his violent assault crimes and misconduct?

No, Yes

20. Do you know that Jo Ann was in the hospital 5 times and her cardiac and pulmonary contusions and heart condition atrial fibrillation were directly caused by blunt force chest trauma she suffered October 6, 2010 when officer Kelewishcky repeatedly struck her on the chest with a nightstick while trying to get her cell phone from her after he learned she called 911 for help at 6:15 p.m. from the stadium police room jail cell?

She Told me

21. Do you know that Jo Ann Fonzone has since 1993 suffered continuous injuries and damages including physical, legal, economic, retaliation for having informed various government agencies about her estranged spouse and his lawyer's criminal activities of ID theft, fraud, and others?

She Told me

Date: July 5, 2016

John S. Ferryman 10-11-17

By:

[Signature]
Jo Ann Fonzone, Esquire aka Judy Mc Grath

Certificate of Service

125726

I, Jean Frazee, hereby certify that I have served upon the defendants in the above numbered action the Motion and a copy of VOIR Dire questions (6) on Magistrate Heffly's Order.

Aaron Shiffman Esq.
1515 Arch St.
Phila, PA 19107

Jean Frazee, Esq.
John Jo, Esquire

FILED

NOV 07 2021

KATE BARKMAN, Clerk
By _____ Dep. Clerk

6 Proposed Voir Dire Questions

1. What is your name?
2. What is the date and place of your birth?
3. What is your current address and what was your address on October 6, 2010?
4. What is your marital status?
5. What is the nature and extent of your education?
6. What are the names, ages and relationships of the members of your household?
7. What is your occupation history and that of your spouse or significant other if applicable, children and members of your household?

8. Have you ever been involved as a party or a witness in a civil lawsuit or criminal case?

9. Do you have a relationship, friendship or association with a law enforcement officer, a lawyer or any person affiliated with the courts or judicial system of any judicial district?

If so, please explain such affiliation.

10. Do you or does any member of your immediate family have a relationship to the insurance industry, including employee, claims adjustor, investigator, agent or stockholder in an insurance company? State such relationship details.

11. Do you have any physical or mental condition affecting your ability to serve as a juror?

12. Are there any reasons if you believe you cannot serve as a juror?

13. Do you have any relationship, friendship or association with the parties and prospective witnesses of this case?

14. Are you a resident of Philadelphia and if so, how many years have you lived in Philadelphia?

15. Have you ever been arrested and if so what police department arrested you?

16. If the answer to the previous question was yes, what was the arrest for, and were you prosecuted?

17. Have you ever filed any complaint either civil or criminal with or against any government unit?